

**The State Ethics Commission's Educational Outreach Program**  
**Presents**  
**The Top Ten Reasons for Delinquent Filings and How to Avoid Them**

Delinquent filings can often be easily avoided. The following is a list of ten of the most common reasons given to our staff members (by filers) for reports being filed late. We have included suggestions on procedures that may help prevent you or your committee from filing late and incurring a late filing fee. We hope these tips will assist you with timely filing and help you avoid penalties.

**1. The filer did not know disclosure reports were required by law.**

**Who must file?**

- ✚ Candidates or campaign committees who accept contributions or make expenditures designed to bring about the nomination or election of a candidate, or have filed a Form-DOI, are required to file disclosure reports;
- ✚ The chairperson or treasurer of every campaign committee designed to bring about the recall of a public officer or to oppose the recall of a public officer;
- ✚ Any campaign committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed constitutional amendment, state-wide proposed question, or state-wide referendum;
- ✚ Any campaign committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in this state, or a county, or a municipal election in this state; and
- ✚ Any individual, partnership, committee, association, corporation, Limited Liability Company, limited liability partnership, trust, professional corporation, or other business entity recognized in the State of Georgia, labor organization, PAC, non-candidate campaign committee, independent committee, or any other organization which accepts contributions for, or makes expenditures on behalf of, candidates must file campaign contribution disclosure reports.
- ✚ Refer to O.C.G.A. §21-5-34 (e) for registration and reporting requirements.

**2. The electronic filer failed to click-on the "Submit Report" button.**

- ✚ Please ensure that when electronically filing a report with the State Ethics Commission, you click-on the "Submit Report" button. Until this action is taken, your report is a "working report" and not officially filed. You may request that a confirmation be emailed to you after the report is filed.

3. **The filer used the wrong filing schedule.**
  - ✚ Filing schedules, which vary according to the type of candidate or committee, are available on our website.....[www.ethics.ga.gov](http://www.ethics.ga.gov)
4. **The filer missed the deadline.**
  - ✚ Sometimes events occur where filers simply miss a deadline. You should have procedures in place to remind you of an approaching deadline. Here are a few suggestions that may help avoid this problem.
    - Set up email reminders;
    - Write filing dates on your calendar;
    - Establish backup procedures in the event you or your filing agent are unable to file reports; or
    - Ensure that your email address has been provided to the appropriate filing officer. The S.E.C. generates courtesy reminders in advance of filing dates to all state filers who provide a current email address. Many city and county election superintendents also send email reminders if your email address is available.
5. **The e-filing online access P.I.N. and/or password issued by the State Ethics Commission to a State level or State-wide level filer have been misplaced. This does not apply to City or County level filers.**
  - ✚ Be sure to “SAVE” the email sent to you containing your P.I.N. and password.
  - ✚ Locate and click-on the “Forgot Password” tab found at the top of the log-in screen. Enter your P.I.N. and email address. Click-on the submit button. Your password will be sent to your email address.
  - ✚ Contact the S.E.C. to request the information again....(404) 463-1980
6. **The person designated to file reports is new and unsure of proper filing procedures and deadlines.**
  - ✚ Always make certain that your filing agent understands all the requirements of the laws relating to campaign financial disclosures. In order to guard against inadvertently missing a filing date, it is crucial that you instruct your agent on proper filing requirements.
  - ✚ Have the person designated to file reports attend one of the State Ethics Commission’s Educational Outreach Program Training Workshops. An informational brochure about the workshops is available on our website.
7. **The filing officer failed to provide the necessary forms.**
  - ✚ It is ultimately the filer’s responsibility to file any and all reports utilizing the appropriate method and forms; and
  - ✚ All the required forms are available on our website.

**8. The filer was on vacation, experienced illness, or a similar unexpected event occurred.**

- ✚ Each filer should prepare for unexpected events that may interfere with the timely filing of reports. It is recommended that backup procedures be established in the event that you or your filing agent is unavailable to submit reports.

**9. The report was filed after the grace period ended.**

- ✚ Whether you are electronically filing or filing paper documents, please make certain that the report is received by the appropriate filing officer before the grace period ends to avoid automatic late filing fees;
- ✚ Grace period information and late fee amounts can be found in the “Filing Schedule” area of our website; and
- ✚ Reports will be accepted by the filing officer after the grace period has expired, however, the filer will be in violation of the law and subject to late fees.

**10. The candidate did not qualify, withdrew from the race, or lost the election and did not file reports.**

- ✚ Although qualifying for election or qualifying for nomination for election will make one a candidate, merely receiving contributions or making expenditures designed to bring about one’s election or nomination for election, or authorizing a campaign committee to do so, confers candidate status even if the individual involved never formally qualifies as a candidate;
- ✚ Filing a Form-DOI (Declaration of Intention to Accept Campaign Contributions) also confers candidate status, and persons who have filed such a declaration are required to file campaign contribution disclosure reports;
- ✚ Any unsuccessful candidate (one who withdraws or is defeated) in an election is required to file disclosure reports for the remainder of the reporting cycle, at the same times as a successful candidate; and
- ✚ If an unsuccessful candidate has excess campaign contributions he or she is required to file a supplemental CCDR no later than December 31 of each year following the election until the contributions are expended as provided in Code Section 21-5-33 of the Ethics in Government Act.

Visit our website for additional educational information.

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